

Response

Claims 1 – 36 have been rejected under 35 USC §112, first paragraph, as failing to comply with written description requirement. Claims 1 – 36 have been rejected under 35 USC §103(a) as being obvious over US Patent No. 6,009,149 (Langsenkamp) in view of US Patent No. 5,802,526 (Fawcett). Applicants again respectfully disagree.

35 U.S.C. §112

It appears that the Examiner has misunderstood Applicants' argument in finding that the language "simultaneously providing a plurality of users . . ." is not supported by Applicants' Specification. The Examiner states as support for his positions that

many web servers that support plural users only do so by processing each user in turn, rather than providing multiple, concurrent processes that simultaneously support plural users at different ports . . . ,

and therefore, simultaneous access is not "implicit" in the use of a web browser. These statements suggest that the Examiner has misinterpreted Applicants' invention to be a system that allows users simultaneous automated calling.

Applicants, though, are not claiming simultaneous automated calling for a plurality of users, as suggested by the Examiner. As Applicants have stated, the present invention is a method for providing to a plurality of users simultaneous access to computerized telephone control. Applicants' claimed invention is clearly implicit at least in the section of Applicants' specification that was previously cited.

In accordance with the above, Applicant's application complies with the written description requirement.

35 U.S.C. §103(a)

As Applicants have stated, the present invention comprises a method that simultaneously provides access to computerized telephone control to a plurality of users, wherein one or more of the users may access a direct interface. For those users that have accessed the interface, a program flow is created by the user supplying values in response to the interactive interface. The created program flows are then used during a series of telephone calls by an automated calling means. As such, the present invention provides a method that simultaneously allows multiple users to generate program flows which include a series of calls to designated callees. Based in part on the program flow, calls are conducted by a computerized system for each user.

Langsenkamp, as seemingly admitted by the Examiner, does not disclose a system that allows simultaneous access to computerized telephone control. As the Examiner makes clear,

Langsenkamp may disclose an automated calling system which allows a single user to access the system at a time. As described throughout the Langsenkamp patent, specifically, for example Column 3, Lines 11 –21, Langsenkamp discloses a system designed only for a single user. (See also Fig. 1). The Langsenkamp system is not designed for, nor can it be used for, simultaneous access by multiple users, as claimed in Applicants' invention. The ability of the system to allow multiple users does not therefore make simultaneous access to the computerized telephone control system obvious, as suggested by the Examiner in footnote 1 of the Detailed Action. See Detailed Action, page 6, footnote 1. Therefore, Langsenkamp does not disclose the Applicant's system as presently claimed.

Fawcett, similar to Langsenkamp does not disclose a system providing simultaneous access to computerized telephone control. Therefore, for the reasons stated above, Fawcett, nor Langsenkamp, alone or in combination with each other, suggest or teach the system as presently claimed.

With respect to the rejection of claim 19, for the reasons stated above and since claims 2-5, 7-32, and 34 each depend from a patentable independent claim, neither Langsenkamp, Fawcett, nor Tannenbaum, alone or in combination with each other, suggest or teach the system as presently claimed. Tannenbaum, nor Fawcett, similar to Langsenkamp, do not teach the ability to access the interface simultaneously with another user to create a program for automatic calling. Therefore, claims 2-5, 7-32, and 34 are patentable over the cited prior art.

With respect to the rejection of claims 15 and 19, again Applicants respectfully disagree with the "Official Notice" taken by the Examiner. As clearly demonstrated above, Langsenkamp does not disclose the ability to access the interface simultaneously with another user to create a program for automatic calling, as claimed by Applicants. The Official Notice does not disclose this element either, and therefore does not render the invention claimed in claims 15 and 19 as obvious.

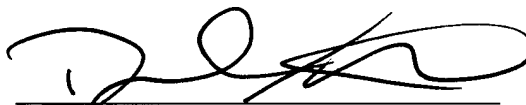
The Examiner has failed to provide every element of the present invention in Langsenkamp, Tannebaum, Fawcett or the Official Notice. Accordingly, neither Langsenkamp, Tannenbaum, Fawcett, nor the Official Notice, alone or in combination with one another, disclose the system as disclosed in claims in 15 and 19. Therefore, the present invention is not obvious over Langsenkamp in view of the Official Notice or Tannenbaum. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection under 35 U.S.C. § 103(a).

Similarly, even if combined with other prior art, including the prior art made of record and not relied upon, Langsenkamp could not provide a basis for an obviousness rejection of the present invention. The elements missing in Langsenkamp that distinguish them from the present invention cannot be added by additional art to combine to teach Applicants method and system.

It is respectfully submitted that all pending claims are in condition for allowance. Therefore, Applicants respectfully request that the Examiner withdraw the 35 U.S.C. §§ 112 and 103 rejections, and allowance be granted at the earliest date possible. Should the Examiner have any questions or comments regarding Applicants' amendments or response, the Examiner is asked to contact Applicants' undersigned representative at (215) 575-7194.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0979.

Respectfully submitted,



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